

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ZUFFA, LLC, dba The Ultimate Fighting Championship UFC,

v.
Plaintiff,

AARON CARR, CORY EHRGOTT, and CARRS CORNER, LLC,

Defendants.

NO. CV-11-0114-LRS

ORDER GRANTING MOTION FOR
DEFAULT JUDGMENT

BEFORE THE COURT is Plaintiff's Motion for Default Judgment, ECF No. 12, filed on July 8, 2011. Plaintiff failed to note this motion for hearing as required by LR 7.1(h), Local Rules for the Eastern District of Washington. On April 18, 2012, Plaintiff filed an amended proposed Default Judgment and noted the pending Motion for Default Judgment for May 18, 2012. The court being fully advised in the premises and having reviewed the Affidavits of record herein, and Memorandum of Law now makes the following judgment, in the exercise of its discretion and considering

1 the question of willfulness of the violation under 47 U.S.C. §
2 605(e) (3) (C) (ii) in the limited record before the court.

3 I. FINDINGS

4 A. Default: Defendants AARON CARR, CORY EHRGOTT and CARR'S
5 CORNER, LLC were declared to be in default and the Court entered an
6 Order of Default on June 22, 2011 (ECF No. 11).

7 II. ADJUDICATION

8 On the basis of the foregoing, it is hereby ORDERED, ADJUDGED AND
9 DECREED:

10 A. Plaintiff dismisses Count II of its Complaint wherein it
11 alleged claims under 47 U.S.C. §553.

12 B. Judgment: That the plaintiff have and recover judgment under
13 47 U.S.C. 605(a) on COUNT I against AARON CARR and CORY EHRGOTT,
14 individually, and as officers, directors, shareholders, and/or
15 principals of CARR'S CORNERS, LLC, d/b/a CARR'S CORNER and CARR'S
16 CORNERS, LLC, d/b/a CARR'S CORNER, jointly and severally as follows:

17 1. A total award of THREE THOUSAND THREE HUNDRED FORTY
18 SEVEN DOLLARS AND SEVENTY FIVE CENTS (\$3,347.75), plus costs and
19 attorneys' fees, consisting of:

20 a) ONE THOUSAND DOLLARS (\$1,000.00) pursuant to 47 U.S.C. §
21 605(e) (3) (C) (i) (II), and

22 b) Costs and Attorney's fees of TWO THOUSAND THREE HUNDRED
23 FORTY SEVEN DOLLARS AND SEVENTY FIVE CENTS (\$2,347.75) pursuant to 47
24 U.S.C. § 605(e) (3) (B) (iii).

25 **IT IS SO ORDERED** that Plaintiff's Motion for Default
26 Judgment, **ECF No. 12**, is **GRANTED in part and DENIED in part**.

The District Court Executive is directed to file this Order, enter judgment consistent with this order, provide copies to the parties, and **CLOSE THE FILE.**

DATED this 18TH day of May, 2012.

s/Lonny R. Suko

LONNY R. SUKO
UNITED STATES DISTRICT JUDGE